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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/977,497	10/16/2001	Colin Andrew Low	1509-225	1504
22879	7590	01/13/2005	EXAMINER	
HEWLETT PACKARD COMPANY P O BOX 272400, 3404 E. HARMONY ROAD INTELLECTUAL PROPERTY ADMINISTRATION FORT COLLINS, CO 80527-2400			SALL, EL HADJI MALICK	
			ART UNIT	PAPER NUMBER
			2157	

DATE MAILED: 01/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/977,497

Applicant(s)

LOW ET AL. 

Examiner

El Hadji M Sall

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 January 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>01/15/02</u> | 6) <input type="checkbox"/> Other: _____ |

1. **DETAILED ACTION**

This action is responsive to the application filed on October 16, 2001. Claims 1-20 are pending. Claims 1-20 represent inviting assistant entity into a network communication session.

2. ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-3, 6, 9-10, 17-19 are rejected under 35 U.S.C. 102(b) as being unpatentable over Bentley et al. U.S. 5,914,951.

Bentley teaches the invention as claimed including method and system for establishing voice communications in an Internet environment.

As to claim 1, Bentley teaches a method of inviting an assistant entity into an existing communication session established by a service system with an associated transport mechanism for the exchange of data across a network between endpoint entities joined to the session (figure 1); wherein:

(a)--a first endpoint entity already joined to the session and constituted by a party having an endpoint system connected to the network, sends a request to the service system requesting the presence of an assistant entity in the session, the request directly or indirectly indicating the identity of the existing session (abstract, Bentley discloses.. a customer to access a company computer system via a data network and to request contact with a customer service representative...).

(b)--the service system selects an appropriate assistant entity from a group of assistant entities taking account of context data concerning the existing session, and joins the selected assistant entity to the session (abstract, Bentley discloses the company computer system automatically selects a customer service center and a customer service representative in accordance with a set of selection criteria, including customer preferences...).

As to claim 2, Bentley teaches a method according to claim 1, wherein the assistant entity is a customer service representative and associated endpoint system (abstract, Bentley discloses...the selected customer service representative may initiate data communication with the customer via the data network...; figure 1).

As to claim 3, Bentley teaches a method according to claim 1, wherein the assistant entity is a software-based entity with an associated knowledge base (column 7, lines 15-23, Bentley discloses...after the customer speaks to a CSR, the customer may request that the CSR transmit a copy of an updated software program to the customer computer system 18...).

As to claim 6, Bentley teaches a method according to claim 1, wherein in step (a) the first party uses an active feature of a web page served by the service system to request that a assistant entity join the session (abstract, Bentley discloses the system of the present invention allows a customer to access a company computer system via a data network and to request contact with a customer service representative. The

company computer system automatically selects a customer service center and a customer service representative in accordance with a set of selection criteria...).

As to claim 9, Bentley teaches a method according to any one of claims 1 to 6, wherein the service system, in setting up a communication session, creates a service-session functional entity that comprises a session instance with generic behaviour for adding and removing endpoint entities to the communication session and for recording the endpoint entities currently joined to the communication session, and an associated service instance with service-specific behaviour determining when the session instance is to add and remove endpoint entities (column 2, lines 60-62, Bentley discloses The monitor may also use the monitor computer system to add, change or delete the various selection criteria stored in the company computer system; abstract, Bentley discloses...and then records the communication therebetween for future review by a monitor...).

As to claim 10, Bentley teaches a method according to any one of the preceding claims, wherein the transport mechanism associated with a communication session provides multiple data transfer channels, for different media types, between endpoint entities joined to the communication session (column 4, lines 13-16, Bentley discloses a first CSC voice system 20 (shown as CSC.sub.-- VS.sub.-- 1 20 in FIG. 1) is preferably a switched business telephone network with multiple connected telephone lines, such as a PBX system; column 6, lines 45-49, Bentley discloses a telecommunication control device 40 is preferably a system capable of switching and routing telephone calls between multiple voice communication devices, such as the customer voice communication device 16, and voice systems, such as CSC.sub.-- VS.sub.-- 1 20, via the voice network 10).

As to claim 17, Bentley teaches a service system comprising:
a session entity for establishing communication sessions and controlling the joining of endpoint entities to each such session (abstract, Bentley teaches...Once a

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customer service representative has been selected, the company computer system causes a telecommunication control device to connect the customer, the selected customer service representative, and the monitor via a voice network...);

a transport entity for establishing a transport mechanism for each session established by the session entity, the transport mechanism allowing the exchange of data across a network between endpoint entities joined to the session (column 4, lines 13-16, Bentley discloses a first CSC voice system 20 (shown as CSC.sub.-- VS.sub.-- 1 20 in FIG. 1) is preferably a switched business telephone network with multiple connected telephone lines, such as a PBX system; column 6, lines 45-49, Bentley discloses a telecommunication control device 40 is preferably a system capable of switching and routing telephone calls between multiple voice communication devices, such as the customer voice communication device 16, and voice systems, such as CSC.sub.-- VS.sub.-- 1 20, via the voice network 10);

request-reception means operative to receive a request from a first endpoint entity already joined to a session and constituted by a party having an endpoint system connected to the network, the request serving to request the presence of an assistant entity in the session and directly or indirectly indicating the identity of the existing communication session (abstract, Bentley discloses.. a customer to access a company computer system via a data network and to request contact with a customer service representative...); and

assistant-selection means responsive to the receipt of a said request by the request-reception means to select an appropriate assistant entity from a group of possible assistant entities taking account of the context of the existing communication session, the assistant-selection means being operative to cause the session entity to join the selected assistant entity to the session (abstract, Bentley discloses the company computer system automatically selects a customer service center and a customer service representative in accordance with a set of selection criteria, including customer preferences...).

As to claim 18, Bentley teaches a service system according to claim 17, wherein the assistant entity is a customer service representative and associated endpoint system (abstract, Bentley discloses...the selected customer service representative may initiate data communication with the customer via the data network...; figure 1).

As to claim 19, Bentley teaches a service system according to claim 17, wherein the assistant entity is a software-based entity with an associated knowledge base (column 7, lines 15-23, Bentley discloses...after the customer speaks to a CSR, the customer may request that the CSR transmit a copy of an updated software program to the customer computer system 18...).

4. Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 4-5, 7-8, 11-16 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bentley et al. U.S. 5,914,951 in view of Brown et al. U.S. 6,385,646.

Bentley teaches the invention substantially as claimed including method and system for establishing voice communications in an Internet environment.

As to claim 4, Bentley teaches a method according to claim 1, wherein the data network is the internet (column 5, lines 2-5, Bentley discloses A data network 12 is preferably the Internet, but may also be any wide area data network. For example, the data network 12 may comprise a group of local area networks (LANs)).

Bentley fails to teach the existing session has multiple parties connected to it through web browser functionality of associated endpoint systems, the service system providing follow-me page-push functionality to the party endpoint systems whereby to enable co-browsing by the parties joined to the session.

However, Brown teaches method and system for establishing vice communications in an Internet environment. Brown teaches the existing session has multiple parties connected to it through web browser functionality of associated endpoint systems, the service system providing follow-me page-push functionality to the party endpoint systems whereby to enable co-browsing by the parties joined to the session (column 9, lines 5-9, Brown discloses Database 132, which could be a single database or a set of multiple databases, contains data for selecting a call center and determining "TAG2" Web interaction information to accompany the call; column 7, lines 34-39, Brown discloses...An example of transmitting information from agent to user involves a "page-push" operation, where the call center agent presents information in the form of a Web page to the user's Web browser. The user's browser would then display the Web page to the user).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Bentley in view of Bateman to provide the existing session has multiple parties connected to it through web browser functionality of associated endpoint systems, the service system providing follow-me page-push functionality to the party endpoint systems whereby to enable co-browsing by the parties joined to the session. One would be motivated to do so to allow a combined marketing approach using the Web and call centers (abstract).

As to claim 5, Bentley teaches a method according to claim 4.

Bentley fails to teach the context of the existing communication session comprises the subject of a web page currently being jointly browsed by the parties joined to the session service.

However, Brown teaches wherein the context of the existing communication session comprises the subject of a web page currently being jointly browsed by the parties joined to the session service (column 3, lines 61-65, Brown teaches When an Internet user clicks a button to connect to an agent, a call is connected from the agent to the user and the agent can view the Web page that a user is viewing (as well as account data and information about the user's prior interaction with the Web page);column 14, lines 37-40, Brown discloses based on the whisper code, sending an audio message to the call center, the audio message relating to at least one of an identity of the user and details of the interactive communication session).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Bentley in view of Bateman to provide the context of the existing communication session comprises the subject of a web page currently being jointly browsed by the parties joined to the session service. One would be motivated to do so to allow the interactive between the customer and the agent be done quickly and efficiently.

As to claim 7, Bentley teaches a method according to any one of the preceding claims.

Bentley fails to teach the service system, in setting up a communication session, creates a service-session functional entity which in the course of joining a said endpoint entity to the session, sends connection details of the transport mechanism associated with the communication session to the endpoint entity or its proxy, that endpoint entity or its proxy then using the connection details to connect itself to the transport mechanism .

However, Brown teaches the service system, in setting up a communication session, creates a service-session functional entity which in the course of joining a said endpoint entity to the session, sends connection details of the transport mechanism

associated with the communication session to the endpoint entity or its proxy, that endpoint entity or its proxy then using the connection details to connect itself to the transport mechanism (column 14, lines 37-40, Brown discloses based on the whisper code, sending an audio message to the call center, the audio message relating to at least one of an identity of the user and details of the interactive communication session).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Bentley in view of Brown to provide the service system, in setting up a communication session, creates a service-session functional entity which in the course of joining a said endpoint entity to the session, sends connection details of the transport mechanism associated with the communication session to the endpoint entity or its proxy, that endpoint entity or its proxy then using the connection details to connect itself to the transport mechanism. One would be motivated to do so to allow calls to be routed to selected call centers.

As to claim 8, Bentley teaches a method according to claim 7, wherein the service-session functional entity comprises a session instance with generic behaviour for adding and removing endpoint entities to the communication session and for recording the endpoint entities currently joined to the communication session, and an associated service instance with service-specific behaviour determining when the session instance is to add and remove endpoint entities (column 2, lines 60-62, Bentley discloses The monitor may also use the monitor computer system to add, change or delete the various selection criteria stored in the company computer system; abstract, Bentley discloses...and then records the communication therebetween for future review by a monitor...).

As to claim 11, Bentley teaches a method according to claim 10.

Bentley fails to teach wherein the endpoint entities include web browser functionality and the service system provides functionality, and the transport mechanism provides channels, for at least two of the following:

text chat; follow-me page-push; packetized voice.

However, Brown teaches wherein the endpoint entities include web browser functionality and the service system provides functionality, and the transport mechanism provides channels, for at least two of the following: text chat;

follow-me page-push (column 7, lines 34-39, Brown discloses... An example of transmitting information from agent to user involves a "page-push" operation, where the call center agent presents information in the form of a Web page to the user's Web browser...);

packetized voice (column 9, lines 59-67, Brown discloses that there are many configurations for routing a call from platform 130 to call center 170 over voice network 150, which configurations could include, for example, routing the call through a local exchange carrier, or through a packet network. Similarly, there are many configurations for routing a call from platform 130 to user 100 over voice network 150. Any of these routing configurations may be utilized in placing calls to the call center and to the user in accordance with the present invention).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Bentley in view of Brown to provide wherein the endpoint entities include web browser functionality and the service system provides functionality, and the transport mechanism provides channels, for at least two of the following:

text chat; follow-me page-push; packetized voice. One would be motivated to do so to allow a combined marketing approach using the Web and call centers (abstract).

As to claim 12, Bentley teaches a method according to claim 7, wherein the transport mechanism associated with a communication session provides multiple data transfer channels, for different media types (column 4, lines 13-16, Bentley discloses a first CSC voice system 20 (shown as CSC.sub.-- VS.sub.-- 1 20 in FIG. 1) is preferably a switched business telephone network with multiple connected telephone lines, such as a PBX system; column 6, lines 45-49, Bentley discloses a telecommunication control device 40 is preferably a system capable of switching and routing telephone calls between multiple voice communication devices, such as the customer voice

communication device 16, and voice systems, such as CSC.sub.-- VS.sub.-- 1 20, via the voice network 10).

Bentley fails to teach between endpoint entities joined to the communication session, the connection details passed to a said endpoint entity or its proxy comprising details of the media channels associated with the communication session, and the endpoint entity or its proxy using these details to establish corresponding media channel connections to the transport mechanism.

However, Brown teaches between endpoint entities joined to the communication session, the connection details passed to a said endpoint entity or its proxy comprising details of the media channels associated with the communication session, and the endpoint entity or its proxy using these details to establish corresponding media channel connections to the transport mechanism (column14, lines 37-40, Brown discloses based on the whisper code, sending an audio message to the call center, the audio message relating to at least one of an identity of the user and details of the interactive communication session).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Bentley in view of Brown to provide between endpoint entities joined to the communication session, the connection details passed to a said endpoint entity or its proxy comprising details of the media channels associated with the communication session, and the endpoint entity or its proxy using these details to establish corresponding media channel connections to the transport mechanism. One would be motivated to do so to allow calls to be routed to selected call centers.

As to claim 13, Bentley teaches a method according to claim 7, wherein the state of connection of a said endpoint entity to the transport mechanism is signaled to the session-service functional entity by leg messages passed between a leg controller of the endpoint entity or its proxy and a corresponding leg controller of the service-session functional entity (abstract, Bentley discloses... the company computer system causes a telecommunication control device to connect the customer...; column 13, lines 1-4, Bentley discloses A system for monitoring a communication signal

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representative of communication between a customer and a customer service communication means...)

As to claim 14, Bentley teaches a method according to claim 7.

Bentley fails to teach the second endpoint entity or its proxy already has connection functionality for joining and participating in a communication session, the service-session functional entity of the communication session to which the endpoint entity is to be joined inviting this entity into the session by sending said connection details to the connection functionality of the entity or its proxy.

However, Brown teaches teach the second endpoint entity or its proxy already has connection functionality for joining and participating in a communication session, the service-session functional entity of the communication session to which the endpoint entity is to be joined inviting this entity into the session by sending said connection details to the connection functionality of the entity or its proxy (column14, lines 37-40, Brown discloses based on the whisper code, sending an audio message to the call center, the audio message relating to at least one of an identity of the user and details of the interactive communication session).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Bentley in view of Brown to provide the second endpoint entity or its proxy already has connection functionality for joining and participating in a communication session, the service-session functional entity of the communication session to which the endpoint entity is to be joined inviting this entity into the session by sending said connection details to the connection functionality of the entity or its proxy. One would be motivated to do so to allow calls to be routed to selected call centers.

As to claim 15, Bentley teaches a method according to claim 7.

Bentley fails to teach the service-session functional entity, in joining the first endpoint entity into the communication session, sends the latter both connection

functionality for joining and participating in a communication session, and said connection details.

However, Brown teaches the service-session functional entity, in joining the first endpoint entity into the communication session, sends the latter both connection functionality for joining and participating in a communication session, and said connection details (column 14, lines 37-40, Brown discloses based on the whisper code, sending an audio message to the call center, the audio message relating to at least one of an identity of the user and details of the interactive communication session).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Bentley in view of Brown to provide the service-session functional entity, in joining the first endpoint entity into the communication session, sends the latter both connection functionality for joining and participating in a communication session, and said connection details. One would be motivated to do so to allow calls to be routed to selected call centers.

As to claim 16, Bentley teaches a method according to claim 15.

Bentley fails to teach the connection details and functionality are sent in association with a web page served by the service system.

However, Brown teaches the connection details and functionality are sent in association with a web page served by the service system (column 3, lines 61-65, Brown teaches When an Internet user clicks a button to connect to an agent, a call is connected from the agent to the user and the agent can view the Web page that a user is viewing (as well as account data and information about the user's prior interaction with the Web page); column 14, lines 37-40, Brown discloses based on the whisper code, sending an audio message to the call center, the audio message relating to at least one of an identity of the user and details of the interactive communication session).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Bentley in view of Brown to provide the connection details and

functionality are sent in association with a web page served by the service system. One would be motivated to do so to allow calls to be routed to selected call centers.

As to claim 20, Bentley teaches a service system according to claim 17, wherein the network is the Internet (column 5, lines 2-5, Bentley discloses A data network 12 is preferably the Internet, but may also be any wide area data network. For example, the data network 12 may comprise a group of local area networks (LANs)).

Bentley fails to teach the service system providing follow-me page-push functionality to the party endpoint systems whereby to enable co-browsing by the parties joined to the session.

However, Brown teaches the service system providing follow-me page-push functionality to the party endpoint systems whereby to enable co-browsing by the parties joined to the session (column 9, lines 5-9, Brown discloses Database 132, which could be a single database or a set of multiple databases, contains data for selecting a call center and determining "TAG2" Web interaction information to accompany the call; column 7, lines 34-39, Brown discloses...An example of transmitting information from agent to user involves a "page-push" operation, where the call center agent presents information in the form of a Web page to the user's Web browser. The user's browser would then display the Web page to the user).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Bentley in view of Brown to provide the service system providing follow-me page-push functionality to the party endpoint systems whereby to enable co-browsing by the parties joined to the session. One would be motivated to do so to allow a combined marketing approach using the Web and call centers (abstract).

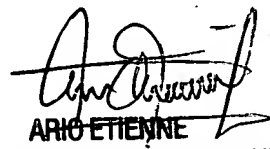
6. Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to El Hadji M Sall whose telephone number is 571-272-4010. The examiner can normally be reached on 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on 571-272-4001. The fax phone number for the organization where this application or proceeding is assigned is 571-273-4010.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

El Hadji Sall
Patent Examiner
Art Unit: 2157


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